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Universal periodic review

Operations of the Voluntary Fund for Participation in the Universal Periodic Review*

Report of the Office of the United Nations High Commissioner for Human Rights

* The present report was submitted after the deadline in order to reflect the most recent developments.

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I. Introduction

1. The present report is submitted in accordance with Human Rights Council resolution 16/22 and decision 17/119, in which the Council requested the secretariat to provide an annual written update on the operations of the Voluntary Fund for Participation in the Universal Periodic Review and on the resources available to it. As indicated in the previous update report (A/HRC/29/21), in an effort to consolidate information related to the universal periodic review, and on the basis of Council decision 17/119, the secretariat aligned the timing of submission of the reports on the activities supported through the two universal periodic review trust funds, namely, the Voluntary Fund for Participation and the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review. In this way, as from 2015, both annual reports are submitted to the Council at its June session. The present report provides an overview of contributions and expenditures, together with a description of activities funded since the previous report as at 31 December 2015.

II. Financial situation of the Fund

2. Table 1 shows the detailed financial situation of the Fund as at 31 December 2015 (statement of income and expenditure).

Table 1
Statement of income and expenditure for the period 1 January–31 December 2015
(United States dollars)

Opening balance on 1 January 2015	**1 861 873.94**	
Income		
Voluntary contributions received from Governments in 2015		
Singapore		25 000.00
Miscellaneous and interest income		4 128.11
Total income		**29 128.11**
Expenditure[a]		
Staff costs		41 503.93
Fees and travel of experts and consultants		—
Travel of staff		92 109.49
Travel of representatives		465 742.41
Contractual services		500
General operating expenses		3 935.00
Supplies and materials		—
Grants, contributions and seminars		25 604.00
Programme support costs		81 895.00

Total expenditure	**711 290.33**
Miscellaneous adjustments/savings/refunds to donors	—
Total fund balance as at 31 December 2015	**1 183 606.72**

[a] Includes disbursements and obligations.

3. Since the establishment of the Fund, 15 States have made financial contributions. In 2015, Singapore contributed $25,000.

4. Since the Fund has not enjoyed a predictable pattern of income, substantial resources are systematically kept as a reserve for future activities. The secretariat of the Fund has been responsive to all requests, in accordance with the Fund's terms of reference, to enable participation.

III. Activities

A. Travel to meetings

5. Under the terms of reference of the Fund, financial support for travel to meetings is made available to developing countries, in particular least developed countries, to cover travel to Geneva by one official government representative in order to participate in:

(a) The sessions of the Working Group on the Universal Periodic Review during which the State of the representative is under review;

(b) Plenary sessions of the Human Rights Council at which the outcome of the review of the State of the representative is adopted.

6. The Fund also provides for the travel of official representatives (one per delegation) of developing countries, in particular least developed countries, that are members of the Human Rights Council and do not have a permanent mission in Geneva, to act as rapporteurs (namely, members of the troika).

7. In addition to travel costs, the Fund also provides for the payment of a daily subsistence allowance at the rate applicable to Geneva at the time of travel. Under the standing official provisions for such travel, a Government formally requesting this assistance is advised of the official entitlements for travel and daily subsistence allowance in connection with the required itinerary, to be reimbursed upon completion of the travel and the submission of the supporting documentation. This arrangement, however, proved onerous for many requesting Governments, and since they were unable to submit claims documenting their travels, they were not reimbursed. In an effort to address this issue, since the seventeenth session of the Working Group on the Universal Periodic Review (21 October–1 November 2013), the secretariat has arranged to provide economy-class tickets prior to travel, and payment of the daily subsistence allowance upon arrival in Geneva, thereby alleviating most of the difficulties associated with reimbursement of expenses. This arrangement was applicable until November 2015.

8. In November 2015, the Office of the United Nations High Commissioner for Human Rights (OHCHR), with most of the United Nations Secretariat, commenced operating in the Umoja environment. Umoja is a complete re-working of the way the Secretariat manages its administration, executes its work processes, conducts its business and manages its resources. Under the new system, which has required some changes to the way that travel

arrangements are processed, and is still subject to adjustments, once a Government has requested the assistance of the Fund, it is informed of the official entitlements for travel and daily subsistence allowance. OHCHR is required to make the necessary arrangements for the issuance and payment of the ticket in advance. The daily subsistence allowance is provided in two instalments: 75 per cent of the total amount is paid in advance either by bank transfer or upon arrival in Geneva, while the remaining amount and terminal expenses are disbursed after the completion of the mission following the submission of supporting documentation.

9. Direct ticketing does, however, require more advance planning, since Governments are required to designate the delegate appointed with lead time sufficient to enable the secretariat to make the travel arrangements and to issue the ticket in accordance with United Nations official travel policies. In cases where such direct ticketing is not possible, however, and unlike the practice in place before November 2015, travel expenses are not reimbursed. .

10. The fact that reimbursement of travel expenses is no longer an option under Umoja is having a substantial impact on the support provided to States, given that all travel arrangements will have to be made and all relevant information submitted to the secretariat well in advance of travel.

11. In 2015, of the 30 States eligible to benefit from the travel assistance of the Fund, 17 requested financial assistance to participate in the sessions of the Working Group at which they were reviewed or to attend a plenary session of the Human Rights Council for the adoption of their review outcome: Armenia, Grenada, Guinea-Bissau, Jamaica, Kenya, Kiribati, the Lao People's Democratic Republic, Lesotho, Liberia, Malawi, the Marshall Islands, Mauritania, Micronesia, Myanmar, Saint Kitts and Nevis, Saint Lucia, and Sao Tome and Principe.

12. Since March 2014, a more proactive approach involving targeted correspondence has been taken to encourage States to avail themselves of the support provided by the Fund. Several weeks prior to sessions, the secretariat addresses a letter to eligible States describing how to request assistance and the main entitlements. This targeted approach has allowed States, in particular small island developing States and least developed countries without representation in Geneva and not familiar with the human rights framework and machinery, to learn more about the Fund and to request support. In addition, the secretariat is able to ensure, to the extent possible, complementarity between the support provided by the Voluntary Fund for Participation in the Universal Periodic Review and the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States in the Work of the Human Rights Council.

13. Table 2 below shows the breakdown of financial assistance and annual expenditure, complete with the amount authorized, status of reimbursement and total commitments to date with regard to the financial assistance provided for the travel of government delegates to Geneva.

Table 2
Expenditure for travel of government representatives to attend sessions of the Working Group on the Universal Periodic Review and plenary sessions of the Human Rights Council

Year	*Number of countries reimbursed*	*Amount authorized/pending claim (United States dollars)*	*Amount paid (United States dollars)*
2008	6	13 280	16 885
2009	17	33 846	23 568
2010	23	46 365	39 942
2011	21	81 778	11 698
2012	3	12 920	11 295
2013	6	35 176	35 176
2014	15	57 564	53 939
2015	23	18 268	95 512
Total			**288 015**

B. Training

14. The terms of reference of the Fund allow for the financing of briefings prior to the sessions of the Working Group on the Universal Periodic Review to assist States in the preparatory process. The briefings usually consist of plenary segments and breakout group discussions during which the policies, procedures and modalities of the universal periodic review are examined, information is exchanged and good practices and lessons learned are discussed concerning the organization of national consultations, the setting-up of interministerial coordination mechanisms, the drafting of national reports and participation in the interactive dialogues held by the Working Group and the Human Rights Council in plenary session.

15. Greater efforts were made to keep States engaged in cooperation with the universal periodic review mechanism, particularly small island developing States and least developed countries with no representation in Geneva. The targeted outreach activities in 2015 involved bilateral meetings with the permanent missions of those States in New York, in October.

16. The bilateral briefings held in New York and, when relevant, in Brussels, are part of a broad strategy to engage States with limited human capacity through different points of entry. The mission to New York in 2015 was part of a set of briefings initiated in 2009 as outreach activities to inform delegations about the universal periodic review process and mechanism. In October 2015, meetings were requested with the permanent missions of Antigua and Barbuda, the Federated States of Micronesia, Nauru, Palau, Papua New Guinea, Saint Lucia, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, Solomon Islands and Suriname. Meetings were subsequently held with the delegations of those States, with the exception of Solomon Islands.

17. The bilateral and tailored nature of each briefing was greatly appreciated, and positive feedback was received from the delegations concerned. In the light of the contacts

established in New York and the fact that the permanent missions were following up on human rights matter, no briefings were held in Brussels in 2015.

18. In the same vein as the seminars for small island developing States and least developed countries organized in July 2013 in Port-Louis and in December 2014 in Casablanca (Morocco), three seminars were organized in 2015. In July 2015, two seminars were organized: the first, for English-speaking Caribbean States and Suriname, was held in Bridgetown; the second, for Portuguese-speaking States, was held in Brasilia. In November, a third seminar, for Pacific island States, was held in Suva. Three to four participants were invited from each State. The Office encouraged the participation of officials who were active members of the inter-institutional structure for reporting and follow-up, should such a structure exist. In the case that the structure did not exist, States were encouraged to nominate officials who could take the lead or contribute to setting one up. National human rights institutions were also invited. In addition, and given that the implementation of a number of human rights recommendations often require either the direct or indirect involvement of parliamentarians, the participation of a member of parliament was also envisaged.

19. The Fund funded the participation of four representatives from 23 States, three representatives from seven States and a representative from three resource countries for each seminar. A total of 122 participants, including national human rights institutions, were funded and participated in the seminars.

20. In the light of the growing interest among States in hearing and learning directly from each other's experience, Costa Rica and Paraguay were invited as resource countries for the seminar in Barbados. Costa Rica shared its experience in the establishment of an inter-institutional commission on follow-up to and implementation of international human rights obligations, its consultative process for the preparation of human rights reports and the implementation of recommendations. Costa Rica reported on how those structures, of a standing and inter-institutional nature, had been helpful in the preparation for the universal periodic review. Paraguay provided details with regard to its database (SIMORE), developed with the support of OHCHR, that compiles all universal periodic review recommendations and identifies the ministries and entities responsible for follow-up. The system, which allows the entities concerned to indicate the steps taken to implement the recommendations, is accessible for consultation by the public and includes an active tracking system. Costa Rica and Paraguay also attended the seminar organized in Brazil to share their experience. At the seminar held in Fiji, Paraguay shared information on its database. The Bahamas was invited as a resource country to inform participants on the details and functioning of the standing interministerial structure established to prepare the national report and for the review of the State during the session of the Working Group.

21. The seminars gave States an opportunity to share their experience in the preparation for their second review in the light of information on the implementation of recommendations made at the first cycle of the universal periodic review. In addition to allowing States to discuss the usefulness of inter-institutional structures for reporting on and implementing recommendations, and the requirements for developing national human rights plans of action, the seminars also permitted the collection and compilation of national practices and experiences described by small States with limited resources in complying with their reporting requirements and the implementation of recommendations. Participants acknowledged that the cyclical and public nature of the universal periodic review should trigger internal adjustments to the methods of work adopted by ministries and government institutions.

22. At the three seminars, and on the basis of the experience shared by some of the participating States or resource countries, participants recognized the need to regard and approach the universal periodic review as a process. Such a premise would then gain from

the establishment of standing inter-institutional reporting and follow-up structures. The importance for States with limited human and financial resources to invest in structures and frameworks that would permit an economy of scale was palpable. Besides resources constraints, the main problem that States faced was the turnover of officials and, consequently, the limited institutional memory available at any given time, coupled with a lack of ownership of the universal periodic review at the local level. The establishment of a standing structure at the national level, possibly with local ramification, was seen as an important contribution to addressing the problem. Participants also discussed the usefulness of databases that compiled thematically the recommendations made as a useful tool to assist States in keeping track of the recommendations made by human rights mechanisms.

23. OHCHR formalized a partnership with the Inter-Parliamentary Union in order to strengthen the participation of parliamentarians in the work of the Human Rights Council, with a focus on the universal periodic review and the implementation of recommendations emerging from the review, and in recognition of the importance of such participation. In this context, the fourth regional seminar for parliamentarians was held in Manila in February 2015. In accordance with the format and objective of the previous seminars, parliamentarians from the region were brought together with a view to familiarizing them with the universal periodic review process and identifying areas for their intervention and involvement.

IV. Conclusions

24. **The Voluntary Fund for Participation in the Universal Periodic Review continued to facilitate the participation of developing countries, and in particular least developed countries, in the sessions of the Working Group on the Universal Periodic Review at which they are considered. Assistance has been provided to those States, at their request, to enable them to participate in the adoption of their outcome document by the Human Rights Council at its plenary sessions. In that regard, and in addition to the relevant correspondence, the secretariat is following up with delegations through a more proactive approach to ensure that all States entitled to assistance under the Voluntary Fund avail themselves of the opportunity. Some difficulties inherent to the implementation in November 2015 of the Umoja administrative system have been experienced. A period of adaptation and adjustment is therefore inevitable until the system is running smoothly. In the meantime, the secretariat will make every effort to ensure that the impact on delegations in need of support is as limited as possible.**

25. **Since the inception of the universal periodic review and the inherent challenge to ensure that participation is indeed universal, the needs and constraints of least developed countries have been considered. Ensuring the informed, regular and full participation of States with little resources and no representation in Geneva, in addition to all other States, requires regular outreach activities. Special attention has been paid to those States by means of targeted initiatives at either the bilateral level or through the organization of subregional seminars. On the eve of the third cycle, the secretariat is exploring the best options to continue to help States not only to participate in the reviews, but also for the universal periodic review to be understood as a full process, in particular at the national level.**

26. **In the framework of its partnership with the Inter-Parliamentary Union, and further to the regional seminars held in 2014 and 2015, the secretariat is finalizing a practical guide for parliamentarians, illustrated by concrete examples of involvement of parliamentarians throughout the universal periodic review process. Once published, the guide will be share widely among stakeholders.**